

REMARKS

Claims 1-26 are currently pending in the subject application and are presently under consideration. Claims 1, 4, 15, 20, 21, 25, and 26 have been amended as shown on pages 2-5 of the Reply. Claims 2, 3, and 24 have been canceled without prejudice or disclaimer.

Applicant's representative would like to thank Examiner Harrison for the courtesies extended during the telephonic interview conducted on September 28, 2007. Examiner was contacted to discuss amendments to overcome rejections under 35 U.S.C. §102(e) and interpretation of the cited prior art with respect to the limitations of independent claim 1. Examiner confirmed that the cited art does not anticipate the limitations in independent claim 1 with respect to a logic component that determines complexity of the visible items and associates a flag with visible items, the flag being true for complex items and the flag being false for non-complex items.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 2, 5-7, 18-21, 23, 24, and 26 Under 35 U.S.C. §102(e)

Claims 1, 2, 5-7, 18-21, 23, and 26 stand rejected under 35 U.S.C. §102(e) as being anticipated by Card *et al.* (U.S. 2005/0273730). Independent claims 1, 20, 21, and 26 now incorporate elements from dependent claims 2 and 3, which the Examiner has cited as being allowable on page 5 of the Office Action. Therefore, it is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Card *et al.* does not teach each and every element of the subject invention as recited in the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

The subject claims relate to a system and method that facilitates automated rendering of information at a graphical user interface in a computationally efficient manner. In particular, the system determines complexity of visible items and flags complex items in order to defer layout of items. To this end, independent claim 1 (and similarly claims 20, 21, and 26) recites *the logic*

component determines complexity of the visible items in order to defer the layout, and the logic component associates a flag with the visible items, the flag being true for complex items and the flag being false for non-complex items.

Card *et al.* does not teach the aforementioned novel features as recited in the subject claims. The cited reference discloses a technique to facilitate browsing large collections of linked information on a computer display. Card *et al.* discloses a system identifying an item of focus, the item representing a collection of hierarchically linked information, and generating a degree of interest value for the item. The information displayed to a user is then based on the degree of interest value. (page 2, par. 16-17).

Applicant's claimed subject matter, in contrast, discloses a system displaying items to a user based upon the items visible complexity. In addition, the claimed subject matter discloses associating a flag with visible items, the flag being true for complex items and the flag being false for non-complex items. For example, complex display items requiring a high amount of display computation can be flagged and withheld from the display while non-complex display items requiring a low amount of display computation can be displayed immediately. As the Examiner has conceded on page 5 of the Office Action, Card *et al.* does not disclose such aspects. Card *et al.* merely relates to displaying hierarchical linked information and does not teach or suggest associating a flag with each display item, where the flag represents an indication of whether or not the item requires a large or small amount of display computation.

In view of the foregoing, applicant's representative respectfully submits that Card *et al.* fails to teach or suggest all limitations of independent claims 1, 20, 21, and 26 (and claims 2, 5-7, 18, 19, and 23 that depend there from), and thus fails to anticipate the subject claims. Accordingly, withdrawal of this rejection is respectfully requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP538US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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